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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/578,567	05/25/2000	Marilee G. Berry	99PS014/KE	6188

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Rockwell Collins Inc
Attention Kyle Eppele
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Cedar Rapids, IA 52498

EXAMINER	
HOYE, MICHAEL W	
ART UNIT	**PAPER NUMBER**
2623	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/578,567	BERRY, MARILEE G.	
	Examiner	Art Unit	
	Michael W. Hoye	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 December 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *12-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *12-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/12/06 has been entered.

Response to Arguments

2. Applicant's arguments filed on December 12, 2006 with respect to claims 12-22 have been considered but are moot in view of the new ground(s) of rejection.

As to new claim 12, the Applicant argues on pages 10-11 that, "in connection with the "retrieving a system configuration of the passenger entertainment system, wherein the system configuration is retrievable upon activating the passenger entertainment system" recitation of independent claim 12, neither Kondo nor Reed teach this aspect of claim 12."

In response, the Examiner respectfully notes that Kondo et al does not explicitly disclose the claimed "wherein the system configuration is retrievable upon activating the passenger entertainment system; and identifying digital media stored in a digital media file server of the passenger entertainment system, such that a programming database is generated, wherein the programming database is configured to assign multiple programming signals to the stored digital media", as described above. However, Reed et al teaches retrieving system configuration having

a plurality of variable configuration points including media file servers (entertainment servers ("ES") 24, see col. 5, lines 56-65) and video cassette recorders (video tape recorders ("VTR") 54, see col. 6, lines 26-55), where the system configuration is accessible or retrievable at any time, in addition to, the memory stores a dynamic table of the output to input connections and routing paths, and will be updated after each new connection is made for an output to input selection. Furthermore, the Video Control Unit (VCU 44) provides cabin crew members with the capability to select and monitor the video channels in the system 10...the VCU 44 also provides a flexible data base capability, including both data compilation and data downloading onto a permanent storage medium (see col. 14, lines 23-47; col. 19, lines 21-31; col. 21, lines 57-63; col. 23, lines 21-47 and col. 25, lines 52-63 for additional information related to retrieving system configuration and configuration data points). Therefore, it would have been obvious to one of ordinary skill in the art to have combined the teachings of Kondo et al with Reed et al for the advantage of allowing a user to retrieve and configure a number of media file servers, as well as assign programming signals to the stored digital media through a programming database as desired in an aircraft/passenger entertainment system. One of ordinary skill in the art would have been led to make such a modification since it is well known to those of ordinary skill in the art to be able to configure the number of media file servers, VCRs, and RF channels as desired in an interactive video distribution system through a database configuration arrangement, such as in a cable or satellite TV headend, and/or a passenger/aircraft entertainment system.

The Applicant argues on pages 11-12 that, "Secondly, in connection with the "mapping at least one of the plurality of RF channels to the programming signals assigned to the stored digital media, such that the at least one RF channel is configured to transmit multiple programming

signals on a single RF channel based on the hardware configuration of the passenger entertainment system, wherein the RF channels are mapped to the programming signals independent of an equally-distributive relationship between the RF channels and the programming signals" recitation of independent claim 12, neither Kondo nor Reed teach this aspect of claim 12."

In response, after further consideration and review of the Kondo reference, the Examiner respectfully disagrees with the Applicant because Kondo discloses the claimed mapping at least one of the plurality of RF channels to the programming signals assigned to the stored digital media, such that the at least one RF Channel is configured to transmit multiple programming signals on a single RF channel based on the hardware configuration of the passenger entertainment system as met by the video signals a1, a2, etc., as shown in Figs. 1 and 2 (see col. 4, lines 5-44), and more specifically, by digitally compressing the 4 to 6 channels or programming signals (i.e. a1 to a4 or a1 to a6) according to MPEG standards, supplying the signals or channels to a time-division multiplexer 31, which provides a digital signal or channel b1 of 6 Mbps to the RF modulator 32, as shown in Fig. 2, for example, where the RF modulator provides an RF signal or channel c1 which includes the 4 or 6 channels of digital video a1 to a4, or a1 to a6 (see col. 4, lines 5-44 and Figs. 1-2 and 5, also see col. 4, line 61 – col. 6, line 67). More specifically, the claimed wherein the RF channels are mapped to the programming signals independent of an equally-distributive relationship between the RF channels and the programming signals is met by the digital video providers 10A-10T, where it is possible to easily change the number of channels for the video signals by changing the compression rate for the digital video signals a1, a2, etc. (see Fig. 2 and col. 4, lines 30-44). In this example, each video

signal provider 10A to 10T could use a different compression rate thereby providing RF channels that are mapped to the programming signals independent of an equally-distributive relationship between the RF channels and the programming signals. In addition to, assuming *arguendo* that Kondo does not explicitly disclose whether or not each video signal provider 10A to 10T may or may not use a different compression rate, Kondo also teaches another digital media provider, digital audio provider 10 (see Figs. 1 and 4), which has a number of 32 audio reproducers 51 to 82 and provides compressed digital signals h1 to h32 of 128 Kbps that are supplied to a time-division multiplexer 130 providing a digital signal j of 6 Mbps... (Fig. 4 and col. 4, lines 51-60). Therefore, Kondo discloses the claimed limitation as described above.

The Applicant further argues on pages 12-13 that, "Lastly, in connection with the "displaying on the passenger control unit the program channel corresponding to the programming signal, such that the passenger control unit enables a user to toggle between program channels, wherein the RF channels are configured to be mapped independent of an equally-distributive relationship with the programming signals" recitation, neither Kondo nor Reed teach this aspect of claim 12."

In addition to, or more specifically, the Applicant argues on the bottom of page 12 that, "The system in Kondo does not teach or suggest such a step of displaying the program channel on the passenger control unit display, Further, this recitation requires that "the passenger control unit enables a user to toggle between program channels, wherein the RF channels are configured to be *mapped independent of an equally-distributive relationship with the programming signals*."

In response to the Applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on

combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The claimed displaying on the passenger control unit the program channel corresponding to the programming signal, such that the passenger control unit enables a user to toggle between program channels, wherein the RF channels are configured to be mapped independent of an equally-distributive relationship with the programming signals is met by in part by Kondo as described above regarding the FG channels being configured to be mapped independent of an equally-distributive relationship with the programming signals, and where Kondo discloses that a passenger may select a channel through the seat control unit (see 16A and 33A in Fig. 1), and a liquid crystal monitor 28A displays the video for the selected channel (see col. 5, line 26 – col. 6, line 30). More specifically, the Reed et al reference as combined with Kondo above, specifically teaches that the passenger control unit (PCU 16) includes a channel number display and the video display unit (VDU 14) may display the program as well as on screen text such as channel control (see col. 18, lines 21-50).

Regarding dependent claims 13-21 and independent claim 22, the Examiner respectfully refers to the relevant remarks made above in response to the Applicant's remarks/arguments on page 13.

Claim Objections

3. Claim 12 is objected to because of the following informalities: Claim 12 recites the limitation "the passenger entertainment system" in line 7 of the claim. There is insufficient antecedent basis for this limitation in the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 12-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al (USPN 5,666,151), in view of Reed et al (USPN 6,058,288), both previously cited by the Examiner.

As to claim 12, note the Kondo et al reference which discloses a method of transmitting program signals to a seat of an aircraft (see Fig. 1 and col. 1, lines 8-65), the passenger seat including a seat controller unit and a passenger control unit (see 15A and 16A/33A in Fig. 1), the passenger control unit being configured to allow a passenger to change between a plurality of program channels (see col. 5, line 26 – col. 6, line 30), wherein the program channels are configured to provide a plurality of programming signals (col. 4, lines 6-44) the plurality of program channels being delivered on one of a plurality of RF channels (col. 4, lines 6-44). Regarding the claimed retrieving a system configuration of a passenger entertainment system, wherein the system configuration is retrievable upon activating the passenger entertainment system; [and] identifying digital media stored in a digital media file server of the passenger entertainment system, such that a programming database is generated, wherein the programming database is configured to assign multiple programming signals to the stored digital media, Kondo et al discloses that it is possible to easily change the number of channels for the video signals by

changing the compression rate (col. 4, lines 41-44). Kondo also discloses that the number of analog video signal providers and the number of digital video signal providers may be changed (col. 5, lines 20-25), and in col. 6, lines 36-42, Kondo further discloses that it is accordingly possible to increase the number of [RF] channels easily without any modification of the circuit. However, Kondo et al does not explicitly disclose the claimed "wherein the system configuration is retrievable upon activating the passenger entertainment system; and identifying digital media stored in a digital media file server of the passenger entertainment system, such that a programming database is generated, wherein the programming database is configured to assign multiple programming signals to the stored digital media", as described above. Reed et al teaches retrieving system configuration having a plurality of variable configuration points including media file servers (entertainment servers ("ES") 24, see col. 5, lines 56-65) and video cassette recorders (video tape recorders ("VTR") 54, see col. 6, lines 26-55), where the system configuration is accessible or retrievable at any time, in addition to, the memory stores a dynamic table of the output to input connections and routing paths, and will be updated after each new connection is made for an output to input selection. Furthermore, the Video Control Unit (VCU 44) provides cabin crew members with the capability to select and monitor the video channels in the system 10...the VCU 44 also provides a flexible data base capability, including both data compilation and data downloading onto a permanent storage medium (see col. 14, lines 23-47; col. 19, lines 21-31; col. 21, lines 57-63; col. 23, lines 21-47 and col. 25, lines 52-63 for additional information related to retrieving system configuration and configuration data points). Therefore, it would have been obvious to one of ordinary skill in the art to have combined the teachings of Kondo et al with Reed et al for the advantage of allowing a user to retrieve and

configure a number of media file servers, as well as assign programming signals to the stored digital media through a programming database as desired in an aircraft/passenger entertainment system. One of ordinary skill in the art would have been led to make such a modification since it is well known to those of ordinary skill in the art to be able to configure the number of media file servers, VCRs, and RF channels as desired in an interactive video distribution system through a database configuration arrangement, such as in a cable or satellite TV headend, and/or a passenger/aircraft entertainment system. The claimed mapping at least one of the plurality of RF channels to the programming signals assigned to the stored digital media, such that the at least one RF Channel is configured to transmit multiple programming signals on a single RF channel based on the hardware configuration of the passenger entertainment system is met by the video signals a1, a2, etc., as shown in Figs. 1 and 2 (see col. 4, lines 5-44), and more specifically, by digitally compressing the 4 to 6 channels or programming signals (i.e. a1 to a4 or a1 to a6) according to MPEG standards, supplying the signals or channels to a time-division multiplexer 31, which provides a digital signal or channel b1 of 6 Mbps to the RF modulator 32, as shown in Fig. 2, for example, where the RF modulator provides an RF signal or channel c1 which includes the 4 or 6 channels of digital video a1 to a4, or a1 to a6 (see col. 4, lines 5-44 and Figs. 1-2 and 5, also see col. 4, line 61 – col. 6, line 67). The claimed wherein the RF channels are mapped to the programming signals independent of an equally-distributive relationship between the RF channels and the programming signals is met by the digital video providers 10A-10T, where it is possible to easily change the number of channels for the video signals by changing the compression rate for the digital video signals a1, a2, etc. (see Fig. 2 and col. 4, lines 30-44). In this example, each video signal provider 10A to 10T could use a different compression rate

thereby providing RF channels that are mapped to the programming signals independent of an equally-distributive relationship between the RF channels and the programming signals. In addition to, assuming *arguendo* that Kondo does not explicitly disclose whether or not each video signal provider 10A to 10T may or may not use a different compression rate, Kondo also teaches another digital media provider, digital audio provider 10 (see Figs. 1 and 4), which has a number of 32 audio reproducers 51 to 82 and provides compressed digital signals h1 to h32 of 128 Kbps that are supplied to a time-division multiplexer 130 providing a digital signal j of 6 Mbps... (Fig. 4 and col. 4, lines 51-60). Therefore, Kondo discloses the claimed limitation as described above. The claimed storing the program channel assignment information in the seat controller unit is met by the Reed et al reference as combined and as previously described in the sections above. The claimed displaying on the passenger control unit the program channel corresponding to the programming signal, such that the passenger control unit enables a user to toggle between program channels, wherein the RF channels are configured to be mapped independent of an equally-distributive relationship with the programming signals is met by in part by Kondo as described above regarding the FG channels being configured to be mapped independent of an equally-distributive relationship with the programming signals, and where Kondo discloses that a passenger may select a channel through the seat control unit (see 16A and 33A in Fig. 1), and a liquid crystal monitor 28A displays the video for the selected channel (see col. 5, line 26 – col. 6, line 30). More specifically, the Reed et al reference as combined with Kondo above, specifically teaches that the passenger control unit (PCU 16) includes a channel number display and the video display unit (VDU 14) may display the program as well as on screen text such as channel control (see col. 18, lines 21-50).

As to claim 13, the Kondo et al reference discloses the steps of generating display signals from the programming signals; and displaying the display signals corresponding to the program selection as described above in claim 12, as well as in col. 5, line 26 – col. 6, line 30.

As to claim 14, the Kondo et al reference does not explicitly disclose the claimed program selection is changed using up/down channel selection buttons on the passenger control unit and wherein a program channel that is next in sequence to the program channel corresponding to a current program selection is displayed on the passenger control unit in response to an up channel selection and a program channel that is previous in sequence to the program channel corresponding to the current program selection is displayed on the passenger control unit in response to a down channel selection. However, although up/down channel selection buttons on the passenger control unit are not explicitly disclosed in the Kondo et al reference as described above, channel selection buttons are well known in the art of aircraft or passenger entertainment systems. The Reed et al reference as combined with Kondo et al above specifically teaches a channel number display and a channel up/down control (see PCU 16 in Figs. 1-2), where a program selection is changed using up/down channel selection buttons on the passenger control unit as shown by the passenger control unit (PCU 16) as previously described above in claim 12, and the claimed displaying a program channel that is next in sequence to a current program selection in response to an up channel selection and displaying a program channel that is previous in sequence to a current program selection in response to a down channel selection is inherent to up/down channel selection buttons. Therefore, it would have been obvious to one of ordinary skill in the art to have further combined the audio/video signal providing apparatus and methods of Kondo et al with the additional teachings of the Reed et al

reference for the advantage of providing a passenger with an easy to use channel selection interface comprising up/down channel selection buttons.

As to claim 15, the claimed allocating a first plurality of RF channels to carry programming signals from a first device generating NTSC video streams based on the configuration data; and allocating a second plurality of RF channels to carry programming signals from a second device generating MPEG video streams based on the system configuration is met by the sections of the Kondo et al reference as described above, where the claimed first plurality of RF channels... is met by configuring the system for multiple analog video signal providers 11 which each have a bandwidth of 6 MHz that is equal to a typical TV channel and it is well known that a typical analog TV signal in the United States is in NTSC format, and the claimed second plurality of RF channels... is met by configuring the remainder of the system for multiple digital signal providers 10A, 10B, and so on, where the total number of signal providers is 21 and the digital signal providers, carry video signals compressed by MPEG standards (see col. 6, lines 30-51 and the additional sections and Figures cited above).

As to claim 16, the claimed each of the first plurality of RF channels carries a single NTSC video stream and each of the second plurality of RF channels carries multiple MPEG video streams is met by the Kondo et al reference as described above in claim 15.

As to claim 17, the claimed step of allocating one of the second plurality of RF channels to carry multiple MPEG video streams corresponding to one program channel is also met by the Kondo et al reference as described above in claim 15.

As to claims 18 and 19, the Kondo et al reference and the Reed et al reference do not explicitly disclose a method wherein said one program channel corresponds to a near video-on-

demand channel. However, the Examiner takes Official Notice that it is notoriously well known in the art of video distribution systems to incorporate the use of video-on-demand (VOD) systems, or more specifically, near video-on-demand systems for the advantages of providing programming to users on time frame that is more convenient to the user and not just during a single scheduled time, in addition to, a near VOD system requires less equipment and storage capacity as a VOD system since a near VOD system only plays programs at, for example, 15 minute intervals, whereas, a VOD system must be able to transmit a program to various users as any given time which requires much greater system capacity. Furthermore, near VOD systems are well known and used in the headend of video distribution systems. Therefore, it is submitted that it would have been clearly obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of a near VOD program channel for the advantages given above. Moreover, pertaining to claim 19, it is also well known in the art to transmit multiple MPEG video streams over a RF channel at different start times for a near VOD program channel.

As to claims 20 and 21, the claimed method wherein said one program channel corresponds to a video-on-demand program channel is not explicitly disclosed by the Kondo et al reference. However, the Reed et al reference, as combined with Kondo et al, specifically teaches the use of a video-on-demand program channel as described above in claim 12 (see col. 23, lines 21-47 and col. 25, lines 52-63). Moreover, pertaining to claim 21, it is also well known in the art to transmit multiple MPEG video streams over a RF channel at different start times for a VOD program channel.

As to claim 22, the claimed method of identifying a program channel selection in a passenger entertainment system, the passenger entertainment system having a seat controller unit

and a plurality of RF channels for providing a plurality of program channels on each of the RF channels is met by the combination of the Kondo and Reed references as described above in the rejection of claim 12. Regarding the claimed step of "dynamically identifying a hardware configuration of the passenger entertainment system..." is also met by the Reed reference as combined with Kondo, wherein Reed specifically teaches retrieving system configuration having a plurality of variable configuration points including media file servers (entertainment servers ("ES") 24, see col. 5, lines 56-65) and video cassette recorders (video tape recorders ("VTR") 54, see col. 6, lines 26-55), where the system configuration is accessible or retrievable at any time, in addition to, the memory stores a dynamic table of the output to input connections and routing paths, and will be updated after each new connection is made for an output to input selection, as discussed in a similar manner in the rejection of claim 12.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael W. Hoye whose telephone number is **571-272-7346**. The examiner can normally be reached on Monday to Friday from 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at **571-272-7353**.

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Michael W. Hoye
February 9, 2007

JOHN MILLER
SUPERVISORY PATENT EXAMINER
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